

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

MICHAEL J. LINDELL,

Plaintiff,

v.

NANCY PELOSI, *et al.*,

Defendants.

No. 22-cv-28 (ECT/TNL)

**THIRD CONSENT MOTION TO EXTEND TIME
FOR CONGRESSIONAL DEFENDANTS TO RESPOND**

Pursuant to Local Rule 7.1, Defendants the Honorable Nancy Pelosi; the Honorable Bennie G. Thompson; the Honorable Elizabeth L. Cheney; the Honorable Adam B. Schiff; the Honorable James B. Raskin; the Honorable Susan E. Lofgren; the Honorable Elaine G. Luria; the Honorable Peter R. Aguilar; the Honorable Stephanie Murphy; the Honorable Adam D. Kinzinger; and the Select Committee to Investigate the January 6th Attack on the Capitol of the United States (“Congressional Defendants”), respectfully move for a third extension of time to respond to Plaintiff’s Complaint.

Plaintiff Michael J. Lindell filed his Complaint (ECF No. 1) on January 5, 2022, and Amended Complaint on January 13, 2022 (ECF No. 9). Pursuant to Federal Rule of Civil Procedure 12(a)(3), the response to Plaintiff’s Complaint was originally due on May 23, 2022, 60 days after service of the summons and original complaint on the U.S. Attorney. *See* ECF No. 16; *see also* Fed. R. Civ. P. 12(a)(3). On May 18, 2022, Congressional Defendants sought a 45-day extension of the deadline to respond to the Complaint (ECF No. 19), which was granted by the Court. *See* Order, May 20, 2022 (ECF No. 20) (setting new date for responsive pleading of

July 7, 2022). On June 27, 2022, Congressional Defendants sought a 30-day extension of the deadline to respond to the Complaint (ECF No. 23), which was also granted by the Court. *See* Order, June 27, 2022 (ECF No. 24) (setting new date for responsive pleading of August 8, 2022). Congressional Defendants now seek an additional 30-day extension, until September 8, 2022.

The Congressional Defendants, all Members of Congress, continue to study the various alternatives in this and other litigation related to the events on or around January 6. And additional time is required to evaluate and consider Congressional Defendants' strategic approach. There are no existing deadlines that will be affected by the granting of this motion.

LOCAL RULE 7.1(a)(1)(A) CERTIFICATION

Pursuant to Local Rule 7.1(a)(1)(A), counsel for the Congressional Defendants conferred with Plaintiff's counsel via email about the proposed extension of time, and Plaintiff consents to a 30-day extension (Verizon Wireless Co. took no position).

Respectfully submitted,

/s/ Douglas N. Letter

Douglas N. Letter (D.C. Bar No. 253492)

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August 4, 2022

CERTIFICATE OF SERVICE

I hereby certify that on August 4, 2022, I caused the foregoing document to be filed via the CM/ECF system for the U.S. District Court for the District of Minnesota, which I understand caused a copy to be served on all registered parties.

/s/ Douglas N. Letter
Douglas N. Letter